

Amendment No. 1 to HB0301

Ramsey
Signature of Sponsor

AMEND Senate Bill No. 844

House Bill No. 301*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-3-204, is amended by adding a new subsection (i):

(i)

(1) Notwithstanding this section or § 57-3-208, a terminal building of a commercial air carrier airport that is a member of the Tennessee Association of Air Carrier Airports may obtain a retail license under this section authorizing the licensee to sell alcoholic beverages at retail in accordance with this subsection (i).

(2) A retail license issued under subdivision (i)(1) authorizes a terminal building of a commercial air carrier airport to operate one (1) or more noncontiguous retail stores located within the area of the terminal building secured by the transportation security administration or its successor organization.

(3) A retail store licensed under this subsection (i):

(A) May sell alcoholic beverages that:

(i) Are manufactured within this state;

(ii) Are packaged in tamper-resistant sealed packages;

and

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(iii) Indicate on the packaging that the customer is prohibited from consuming the alcoholic beverage until the customer reaches the customer's final destination;

(B) Notwithstanding § 57-3-406(e) and § 57-3-406(h), may sell alcoholic beverages on any day and during any hours during which the terminal building of a commercial air carrier airport is authorized to sell alcoholic beverages for on-premises consumption;

(C) May store inventory at one (1) or more secure locations other than the premises of the retail store that are located within the terminal building;

(D) May transfer and transport inventory to and from storage locations; and

(E) Shall not conduct consumer educational seminars or authorize its employees or agents to receive complimentary samples at a sales demonstration under § 57-3-404(h).

(4) Subsection (a) and subdivisions (b)(1), (2), (3)(A), and (3)(C) shall apply to retail stores licensed under this subsection (i).

(5) The commission shall verify that a terminal building of a commercial air carrier airport meets all qualifications for licensure under this subsection (i) prior to issuing a license.

(6) As used in this subsection (i), unless the context otherwise requires, "terminal building of a commercial air carrier airport" has the same meaning as defined in § 57-4-102.

SECTION 2. Tennessee Code Annotated, Section 57-3-402, is amended by adding the following new subsection:

(e) No alcoholic beverages or wine may be sold or delivered to a retailer authorized to sell such alcoholic beverages or wine under this title, whether on premise or off premise, unless such alcoholic beverages have been stored or warehoused at a premises licensed by the commission pursuant to § 57-3-203 for a period of no less than twenty-four (24) hours. It is the stated purpose of this requirement to verify the legality of all alcoholic beverages or wine distributed in this state, and to facilitate the proper payment of all taxes on alcoholic beverages. This subsection (e) shall not apply to deliveries to a licensee under § 57-3-202(i), § 57-3-204(e), or § 57-3-207(r).

SECTION 3. Tennessee Code Annotated, Section 57-3-224, is amended by inserting after subsection (a) the following new subsection (b) and redesignating the remaining subsections accordingly:

(b) No delivery may be made under this section to a consumer who resides or is located at the time of the delivery at a distance greater than one hundred (100) miles from the licensed premises of the retailer at which the alcoholic beverages or wine were purchased.

SECTION 4. Tennessee Code Annotated, Section 57-3-406(k)(1), is amended by inserting the language "who reside or are located within one hundred (100) miles of the retailer's licensed premises" after the language "delivery service's customers" in the first sentence of that subsection.

SECTION 5. Tennessee Code Annotated, Section 57-3-406(k), is amended by adding the following new subdivision:

(3) No delivery may be made under this subsection (k) to a consumer who resides or is located at the time of the delivery at a distance greater than one hundred (100) miles from the licensed premises of the retailer at which the alcoholic beverages or beer were purchased.

SECTION 6. Tennessee Code Annotated, Section 57-3-806(e), is deleted.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.